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ALFRED MARTINEZ and
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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
(SAN JOSE DIVISION)

ALFRED MARTINEZ, et al.

Plaintiffs,

v.

GUIDANT CORPORATION, et al.,

Defendants.

Case No.: CV 06-5244 HRL

NOTICE OF VOLUNTARY DISMISSAL

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Plaintiffs, ALFRED MARTINEZ and IRO TSAKOYIAS, individually and as successor in interest to decedent ERNEST TSAKOYIAS, by and through their undersigned counsel, hereby requests that this Court, pursuant to Rule 41, Federal Rules of Civil Procedure, enter an Order voluntarily dismissing Plaintiffs' ALFRED MARTINEZ and IRO TSAKOYIAS, individually and as successor in interest to decedent ERNEST TSAKOYIAS, causes of action,

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1 with prejudice, against Defendant THE PERMANENTE MEDICAL GROUP, INC. *only*.

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3 Dated: February 23, 2007

GILLIN, JACOBSON, ELLIS & LARSEN

4 By: /s/ Kristin Lucey
5 KRISTIN LUCEY
6 Attorneys for Plaintiffs
ALFRED MARTINEZ and
IRO TSAKOYIAS